1	Jane G. Kearl (CA 156560)	
2	Colin C. Holley (CA 191999) WATT, TIEDER, HOFFAR & FITZGERALD, L.	L.P.
3	2040 Main Street, Suite 300 Irvine, CA 92614	
4	Telephone: 949-852-6700 Facsimile: 949-261-0771	
5	Email: jkearl@watttieder.com cholley@watttieder.com	
6	Attorneys for Creditor Barnard Pipeline, Inc.	
7	UNITED STATES	BANKRUPTCY COURT
8	01,1122	TRICT OF CALIFORNIA
9	SAN FRAN	CISCO DIVISION
10	In re:	Bankruptcy Case
11	PG&E CORPORATION,	Case No. 19-30088 (DM) Chapter 11
12	-and-	(Lead Case) (Jointly Administered)
13	PACIFIC GAS AND ELECTRIC	(Johnery / Kummistorou)
14	COMPANY,	
15	Debtors. ☐ Affects PG&E Corporation	NOTICE OF CONTINUED PERFECTION
16	☐ Affects Pacific Gas and Electric Company	OF MECHANICS LIEN PURSUANT TO 11 U.S.C. § 546(b)(2)
17	☑ Affects both Debtors	Contra Costa County (Lien 20190010688)
18	* All papers shall be filed in the Lead Case,	
19	No. 19-30088 (DM)	
20		
21	Barnard Pipeline, Inc. ("Barnard"), b	y and through its undersigned counsel, hereby gives
22	notice of continued perfection of its mechanic	cs lien under 11 U.S.C. § 546(b)(2), as follows:
23	Barnard has provided and deli	vered labor, services, equipment, and/or materials for
24	the construction and improvements of proje	ects located in the County of Contra Costa, State of
25	California (the "Property"), the legal descrip	tion for which is set forth in the Claim of Mechanics
26	Lien, a true copy of which is attached hereto	as Exhibit A (the "Mechanics Lien").
27	2. The Property is owned by F	PG&E Corporation and/or Pacific Gas and Electric
28	Company (collectively, the "Debtors"), which	h filed voluntary petitions for relief under Chapter 11

of Title 11 of the United States Code (the "<u>Bankruptcy Code</u>") on January 29, 2019 (the "<u>Petition</u> <u>Date</u>").

- 3. On January 25, 2019, before the Petition Date, Barnard properly and timely recorded its Mechanics Lien under California Civil Code § 8400, *et seq.* in the Official Records of Contra Costa County, State of California.
- 4. Through January 25, 2019, the amount owing to Barnard subject to its Mechanics Lien is at least \$54,392.37, exclusive of accruing interest and other charges, and additional amounts which have continued and are continuing, to accrue after the Petition Date.
 - 5. California Civil Code § 8460(a) provides that:

The claimant shall commence an action to enforce a lien within 90 days after recordation of the claim of lien. If the claimant does not commence an action to enforce the lien within that time, the claim of lien expires and is unenforceable[.]

- 6. Pursuant to California Civil Code § 8460, an action to enforce a lien must be commenced within 90 days after recordation of the claim of lien. However, section 362 of the Bankruptcy Code automatically stays Barnard from filing a state court action to enforce its mechanics lien. See 11 U.S.C. § 362.
 - 7. Section 546(b)(2) of the Bankruptcy Code provides that when applicable law

... requires seizure of such property or commencement of an action to accomplish such perfection, or maintenance or continuation of perfection of an interest in property; and ... such property has not been seized or such an action has not been commenced before the date of the filing of the petition; such interest in such property shall be perfected, or perfection of such interest shall be maintained or continued, by giving notice within the time fixed by such law for such seizure or such commencement.

See 11 U.S.C. § 362; see also Village Nurseries v. Gould (In re Baldwin Builders), 232 B.R. 406, 410-11 (9th Cir. 1999); Village Nurseries v. Greenbaum, 101 Cal.App.4th 26, 41 (Cal. Ct. App. 2002).

8. Accordingly, Barnard hereby provides notice of its rights as a lienholder in the Property pursuant to California's mechanics lien law. Barnard is filing and serving this notice to perfect, preserve, maintain, and continue the perfection of its lien and its rights in the Property to

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comply with the requirements of California state law, 11 U.S.C. §§ 362(a), 362(b)(3), and 546(b)(2), and any other applicable law. This notice constitutes the legal equivalent of having recorded a mechanics lien in the recorder's office for the county where the Property is located and then having commenced an action to foreclose the lien in the proper court. By this notice, the Debtors and other parties in interest are estopped from claiming that the lawsuit to enforce Barnard's mechanics lien was not timely commenced pursuant to applicable state law. Barnard intends to enforce its lien rights to the fullest extent permitted by applicable law. The interests, perfected, maintained, or continued by 11 U.S.C. § 546(b)(2) extend in and to the proceeds, products, offspring, rents, or profits of the Property.

- The filing of this notice shall not be construed as an admission that such filing is 9. required under the Bankruptcy Code, the California mechanics lien law, or any other applicable law. In addition, Barnard does not make any admission of fact or law, and Barnard asserts that its lien is senior to and effective against entities that may have acquired rights or interests in the Property previously.
- The filing of this notice shall not be deemed to be a waiver of Barnard's right to 10. seek relief from the automatic stay to foreclose its mechanics lien and/or a waiver of any other rights or defenses.
 - Barnard reserves all rights, including the right to amend or supplement this notice. 11.

Dated: April ______, 2019

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

By:

Jane G. Kearl (CA 156560) Colin C. Holley (CA 191999) 2040 Main Street, Suite 300

Irvine CA 92614

Telephone: 949-852-6700 Facsimile: 949-261-0771

Email: ikearl@watttieder.com

cholley@watttieder.com

Attorneys for Creditor Barnard Pipeline, Inc.

27

28

Filed: 04/15/19

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2019, I caused a copy of the foregoing Notice of Continued Perfection of Mechanics Lien Pursuant to 11 U.S.C. § 546(b)(2) to be sent via e-mail and/or first-class mail to the parties identified in the Master Core/2002 Service List attached hereto as **Exhibit B**.

Jane G. Kearl

28 WATT, TIEDER,

HOFFAR &

FITZGERALD, L. P. S. ATTORNEYS AT LAASE: 19-30088

Doc# 1390

Filed: 04/15/19

. 4 - NOTICE OF CONTINUED PERFECTION OF

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WATT, TIEDER,		_		NOTICE OF CONTINUED PERFECTION OF Entered: MACHANDOS LIES: PURS PANTE TOOF U.S.C. §
FITZGERALD, LCASE ATTORNEYS AT LAW IRVINE	: 19-30088	Doc# 1390	Filed: 04/15/19 19	Entered: MACLEVINGC\$ 1.1EST 27RS PANTE TOOM U.S.C. §

Recording requested by: Barnard Pipeline, Inc.

And when recorded mail this document to:

Jane G. Kearl, Esq. Robert C. Shaia, Esq. Watt, Tieder, Hoffar & Fitzgerald, LLP 2040 Main Street, Suite 300 Irvine, CA 92614



CONTRA COSTA Co Recorder Office

JOSEPH CANCIAMILLA, Clerk - Recorder

DOC - 2019 - 0010688 - 00

Check Number 2764 Friday, JAN 25, 2019 09:01:00

MOD \$3.00 REC \$13.00 FTC \$2.00 DAF \$2.70 REF \$0.30 RED \$1.00

ERD \$1.00 SB2 \$75.00

Nbr-0003391182 AAR / R8 / 1-3 Ttl Pd S98.00

MECHANICS' LIEN (Cal. Civ. Code § 8416, et seq.)

BARNARD PIPELINE, INC. ("Claimant") claims a mechanics lien for the labor, services, equipment, and/or materials described in paragraph 2, furnished for a work of improvement on that certain real property located in the City of Antioch, County of Contra Costa, State of California, and more particularly described as:

All right, title and interest of Pacific Gas and Electric Company ("PG&E") in Gateway Generating Station at 3225 Wilbur Ave., Antioch, CA, and all appurtenances and easements related thereto, including specifically, without limitation, all improvements, structures, and pipelines in or on which Claimant provided labor, services, equipment, and/or materials as set forth in paragraph 2.

- After deducting all just credits and offsets, the sum of \$54,392.37 together with interest at the rate of 10% per annum from January 22, 2019, is due Claimant for the following: labor, services, equipment, and/or materials for replacement of high pressure natural gas pipeline fixtures, and related construction work performed under the Alliance Agreement Contract between Claimant and PG&E and Contract Work Authorization No. C9643, or as otherwise requested by PG&E.
- Claimant furnished the labor, services, equipment, and/or materials, at the request of: PG&E. 3.
- The name and address of the owner(s) or reputed owner(s) of the real property is/are: PG&E, 77 Beale Street, 32nd Floor, San Francisco, CA 94105.

/// III/// /// /// /// ///

///

Case: 19-30088 Doc# 1390 Filed: 04/15/19 Entered: 04/15/19 11:18:27 Page 6 of

5. Claimant's address is: 701 Gold Avenue, Bozeman, MT 59715.

Dated Janey 77, 2019

BARNARD PIPELINE, INC.

Ву: ___

Zach Bowler Vice President

VERIFICATION

I, Zach Bowler, am the Vice President of Claimant on the foregoing Mechanics Lien and am authorized to make this verification for and on its behalf. I have read the foregoing Mechanics Lien and know the contents of the Mechanics Lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated <u>January</u> 22, 2019

Zach Bowler, Vice President

NOTICE OF MECHANICS LIEN

ATTENTION!

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS STATE LICENSE BOARD WEB SITE AT www.cslb.ca.gov.

Case: 19-30088 Doc# 1390 Filed: 04/15/19 Entered: 04/15/19 11:18:27 Page 7 of

PROOF OF SERVICE

I, Julie Benton, declare:

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 2040 Main Street, Suite 300, Irvine, California 92614-6232.

On January 23, 2019, I served \square the originals \boxtimes true copies of the following document(s) described as MECHANICS LIEN and NOTICE OF MECHANICS' LIEN on the interested parties in this action, by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Irvine, California addressed as set forth below:

Pacific Gas & Electric Company (PG&E) 77 Beale Street, 32nd Floor San Francisco, CA 94105

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 23, 2019, at Irvine, California.

ulie Benton

WATT, TIEDER,
HOFFAR &
FITZGERALD, L.L.P.
ATTORNEYS AT LAW

PROOF OF SERVICE

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Conge mantion Company	Aera Energy LLC	Attn: Ron A. Symm	10000 Ming Avenue		Bakerstield	5	17897	16/6-000-100		COSMITTE SCHOOL STORY
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Bermuda imited, Ashford Inc., Ashford Hospitality	Clausen Miller P.C.	Attn: Michael W. Goodin	17901 Von Karman Avenue	Suite 650	Irvine	5	92614	0015-097-586	042-400-020	lischweitzer@cesh.com
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County Log Gowan Construction Company Inc., Calaver Telephone Company, Kerman Telephone Co., Pinagles Telephone Co., The Ponderosa Fighophote Co., Sierra Telephone Co., The Ponderosa Fighophote Co., Sierra Telephone Co.,	ulkis o		201 California Street, 17th Floor		San Francisco	5	94111	415-433-1900	415-433-5530	pcalifano@cwclaw.com
719	and proposed white or cooking the	i, Amanda L. ii, Sumble								deg@coreylaw.com alr@coreylaw.com smb@coreylaw.com
Counsel for Fire Victim Creditors	COREY, LUZAICH, DE GHETALDI & RIDDLE LLP	Manzoor	700 El Camino Real	PO Box 669	Millbrae	5	94030-0669	650-871-5666	850-871-4144	sm@coreylaw.com
Individual Plannins Executive Committee appointee by the Calibahia Superior Court in the North Bay Fire Cases, Ladical Council Coordination Proceeding Number 1955, Pursuant to the terms of the Court's Assembly Application Criefo No. 1	Corchett Pitre & Micarthy LLP	Attn: Frank M. Pitre, Alison E. Cordova, Abisall D. Blodgett		840 Malcolm Road, Suite 200	Burlingame	ర	94010	0009-059	7.50-769-059	fpitre@cpmlegal.com acordova@cpmlegal.com ablodgett@cpmlegal.com
Company of the state of the sta	Controller of the Controller o		County Administration	575 Administration						
Attorn County of Sonoma	County of Sonoma	Curtis	Center			8 8	95403	707-565-2421	0200 999 063	Tambra curtis@sonoma-county org
Counsel for Valley Clean Energy Alliance	COUNTY OF YOLO	Attn: Enc May	525 Court Street	Коот 201	Weedland		CEGCA	0279-000-050	200000000	mplevin@crowell.com
Counters Renaissance Reinsurance LTD.	Crowell & Moring LLP		26th Floor		San Francisco	5	94111	415-986-2800	415-986-2827	bmullan@crowell.com
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